



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: **NAN-2009-00241-ETA**

Issue Date: **24 APRIL 2009**

Expiration Date: **14 MAY 2009**

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

APPLICANT: Glen Cove Industrial Development Agency
City Hall, 9 Glen Street
Glen Cove, NY 11542

ACTIVITY: Construction of a Replacement Bulkhead, and Dredging of a New Ferry Terminal Berth With Upland Disposal of All Dredged Materials.

WATERWAY: Glen Cove Creek

LOCATION: City of Glen Cove, Nassau County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

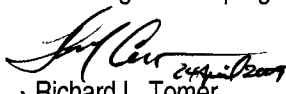
Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at 917-790-8521 and ask for Frank Tangorra.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>


Richard L. Tomer
Chief, Regulatory Branch

Enclosures

PLEASE USE 18-CHARACTER FILE NUMBER ABOVE ON ALL CORRESPONDENCE

PUBLIC NOTICE NUMBER NAN-2009-00241-ETA**WORK DESCRIPTION**

The permit applicant, Glen Cove Industrial Development Agency, has requested Department of the Army authorization to replace an existing steel bulkhead, perform berth dredging with State-approved upland disposal of all dredged materials, and install new floating and fixed docks for a new commercial commuter ferry terminal in Glen Cove Creek at the City of Glen Cove, Nassau County, New York.

The first regulated construction element of the permit applicant's proposed project is to construct approximately 510 linear feet of new steel bulkhead landward of the existing steel bulkhead which will be permanently removed. This work will result in approximately 38,500 square feet of new water area which will be the proposed ferry terminal's berthing area.

The second regulated construction element is the dredging of approximately 2,600 cubic yards of dredged material in the approximate 23,260 square-foot berthing area to depth of 16 feet below the plane of Mean Low Water (MLW Datum). All of the dredged material will be disposed upland at a State-approved disposal location.

The third regulated construction element is the construction of floating piers retained by driven pilings and accessed by walk ramps and gangways. All of these structures will be constructed parallel to and at the new steel bulkhead.

These berthing structures include two (2) 53.5-foot-long by 15-foot-wide berthing floats, four (4) 54.5-foot-long by 15-foot-wide berthing floats, a 30-foot-long by 15-foot-wide berthing float, a 16.5-foot-long by 10-foot-wide floating vessel landing, a 33-foot-long by 30-foot-wide fixed pier ferry landing, a 13-foot-long by 10-foot-wide fixed ferry landing, a 31-foot-long by 10-foot-long fixed boat landing, a 16.5-foot-long by 10-foot-wide floating landing, a 30.8-foot-long by 8.3-foot-wide moveable gangway walk ramp and a 30-foot-long by 8.5-foot-wide fixed gangway walk ramp.

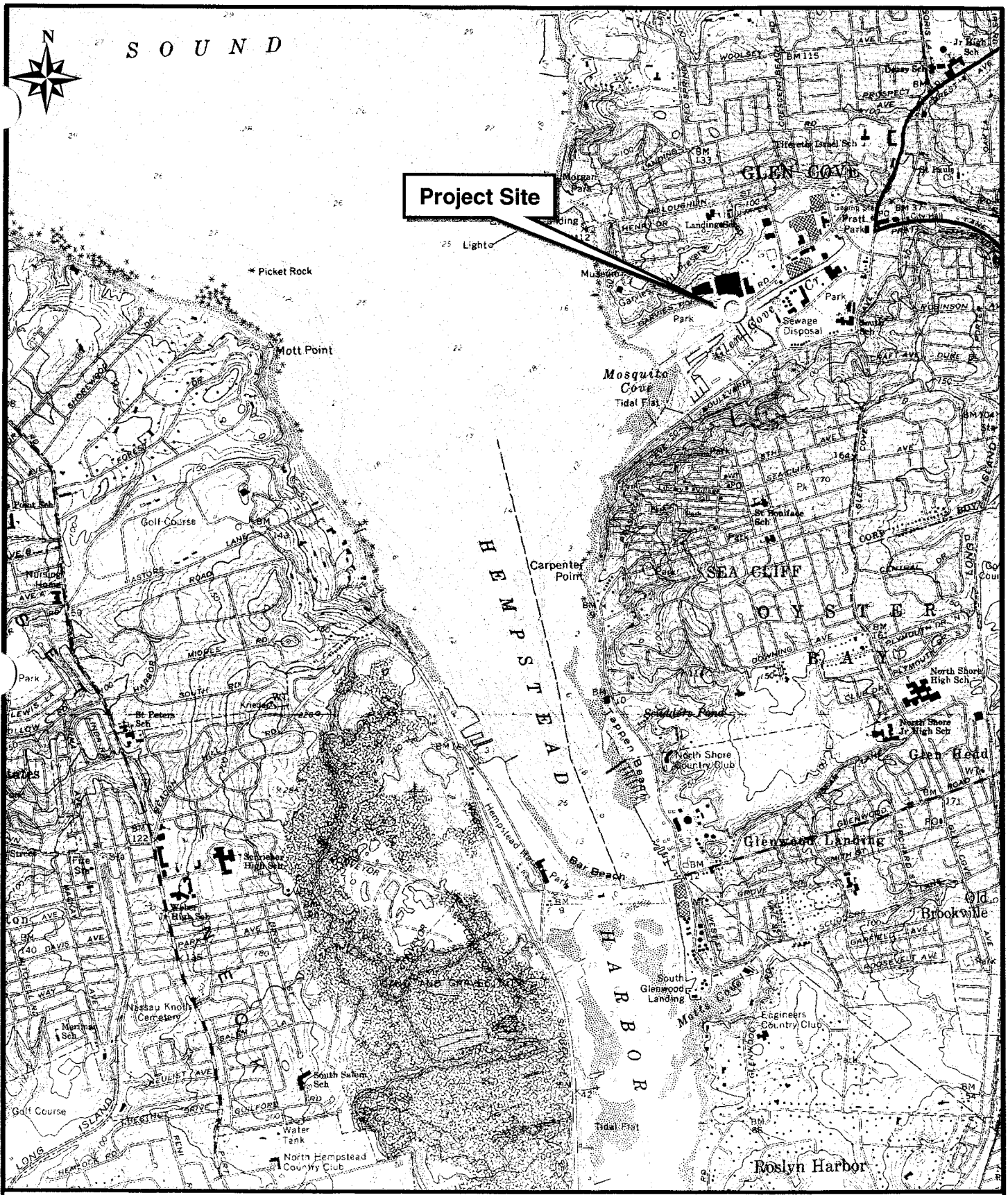
The permit applicant has stated that they have avoided, minimized, and mitigated all aquatic impacts proposed to the maximum extent practicable by committing to employ a closed clamshell environmental bucket for dredging. The permit applicant has stated the dredging area and volume is the smallest possible that still achieves their project purpose.

The permit applicant's stated purpose for their project is to construct a new ferry terminal to increase public transportation and to help revitalize the City of Glen Cove's waterfront area.

PLEASE USE 18-CHARACTER FILE NUMBER ABOVE ON ALL CORRESPONDENCE

itting2358 (Glen Cove Ferry)01C - Joint Application\Figures\pt MAW (12-09-008)

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CITY OF GLEN COVE
FERRY TERMINAL AND BOAT BASIN

SHEET 1 of 11

LOCATION MAP

FILE: NAN-2009-00241-ETA

db Dvirka and Bartilucci
CONSULTING ENGINEERS
A DIVISION OF WILLIAM F. COSULICH ASSOCIATES, P.C.

Source: USGS Sea Cliff Quad

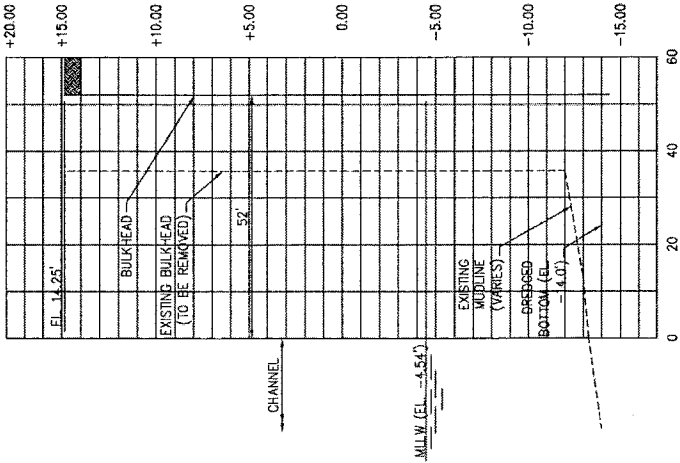
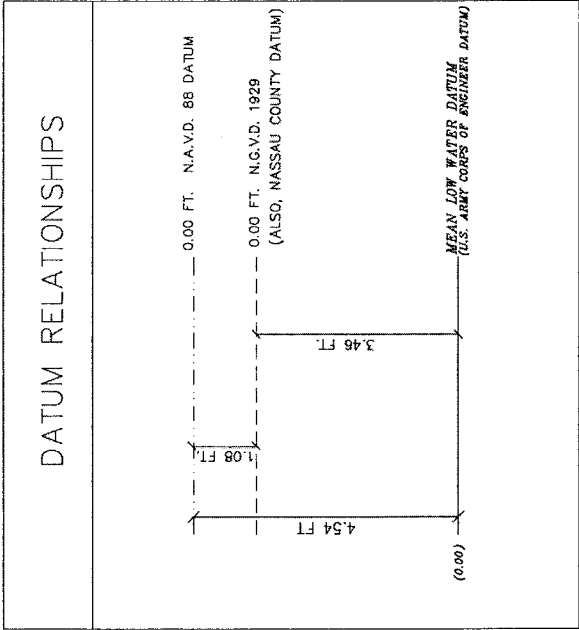
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DREDGING AND EXCAVATION PLAN

FILE: NAN-2009-00241-ETA

ESTIMATED EXCAVATION AND DREDGE QUANTITIES

AREA	AREA (SQ. FT.)	EXCAVATION VOLUME EL. +14.0 TO EL. 0.0 (C.Y.)	DREDGE VOLUME EL. 0.0 TO EL. -14.0' (C.Y.)
INSHORE OF EXISTING BULKHEAD	38500	13300	4000
OFFSHORE OF EXISTING BULKHEAD	17800	0	1500
SIDE SLOPES	5460	0	1,091
TOTAL	61760	13300	6591



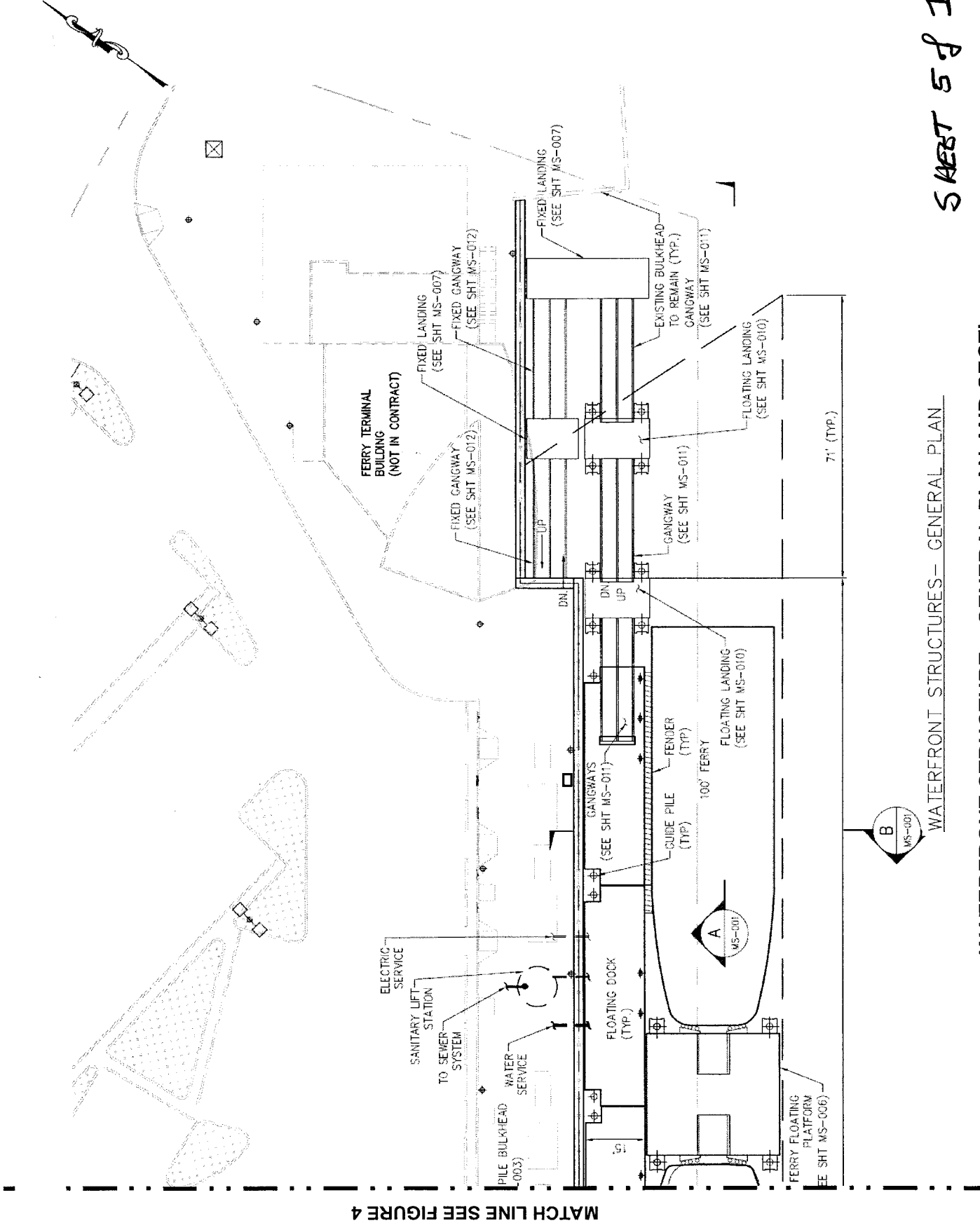
SECTION AT STA. 200+00

SHEET 4 of 11

DREDGING AND EXCAVATION PLAN

(From Drawing MD-2)

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MATCH LINE SEE FIGURE 4

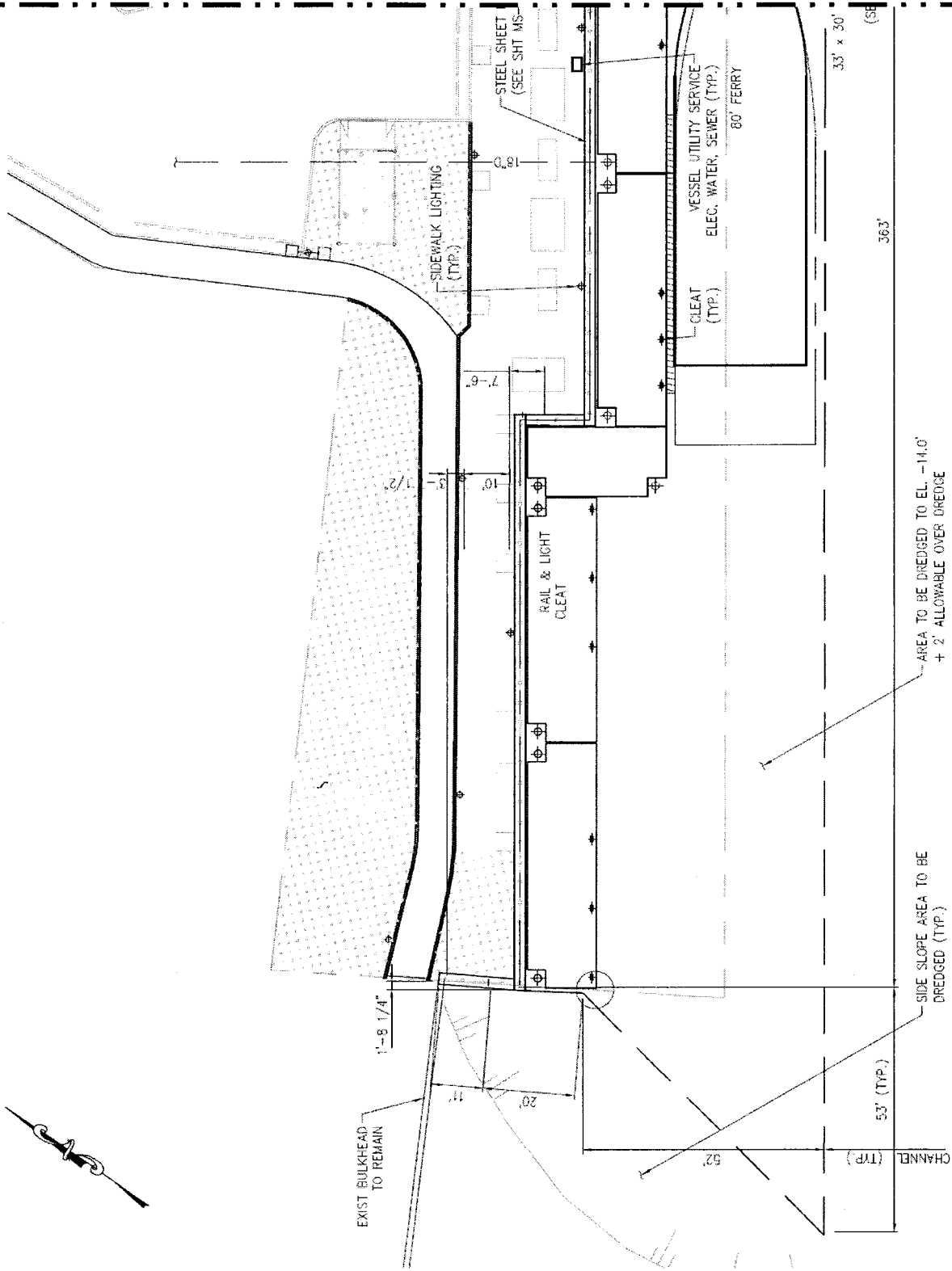
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WATERFRONT STRUCTURES - GENERAL PLAN

WATERFRONT STRUCTURE - GENERAL PLAN AND SECTION

(From Drawing MS-1)

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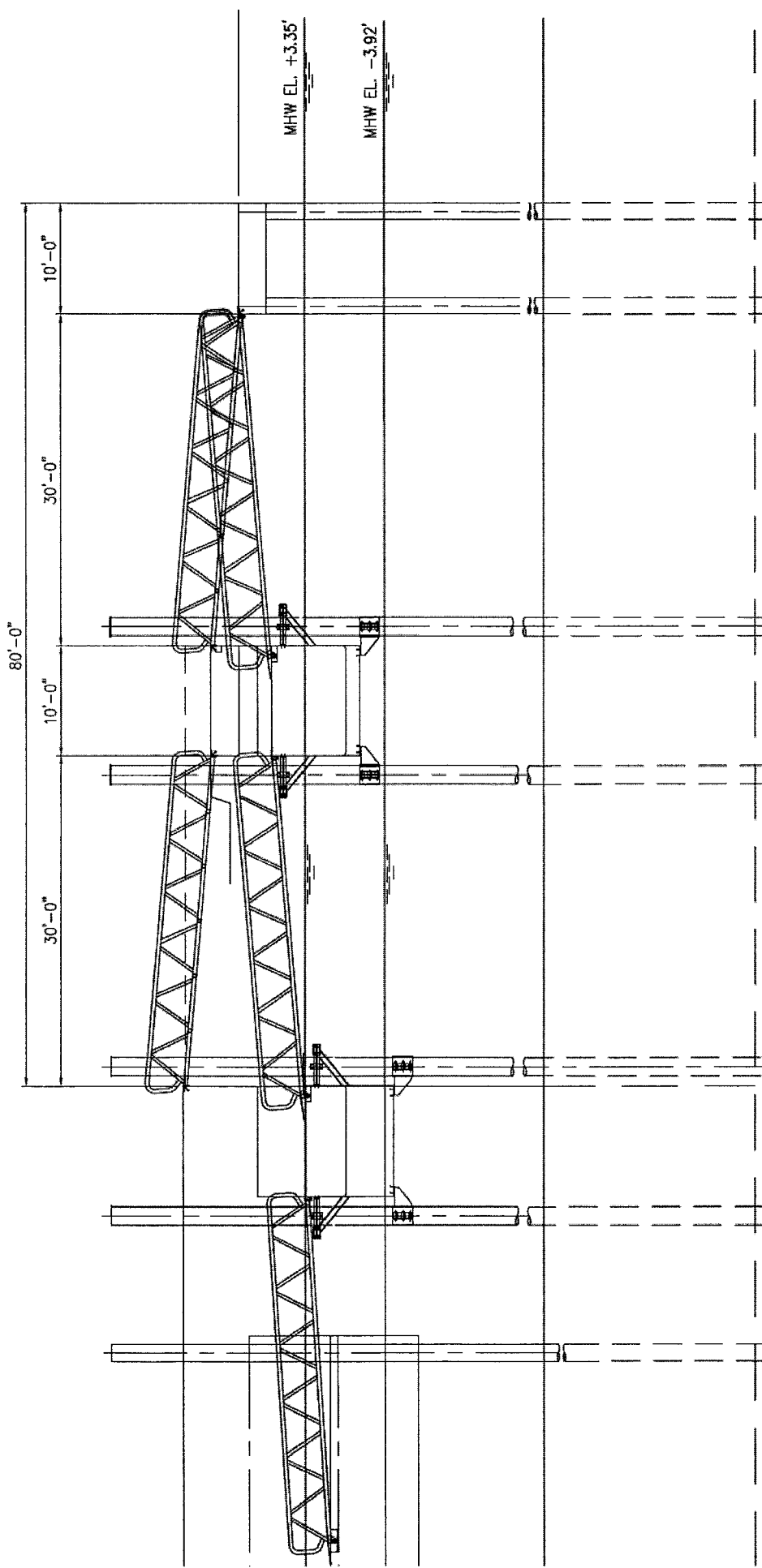
WATERFRONT STRUCTURES- GENERAL PLAN

WATERFRONT STRUCTURE - GENERAL PLAN AND SECTIONS

(From Drawing MS-1)

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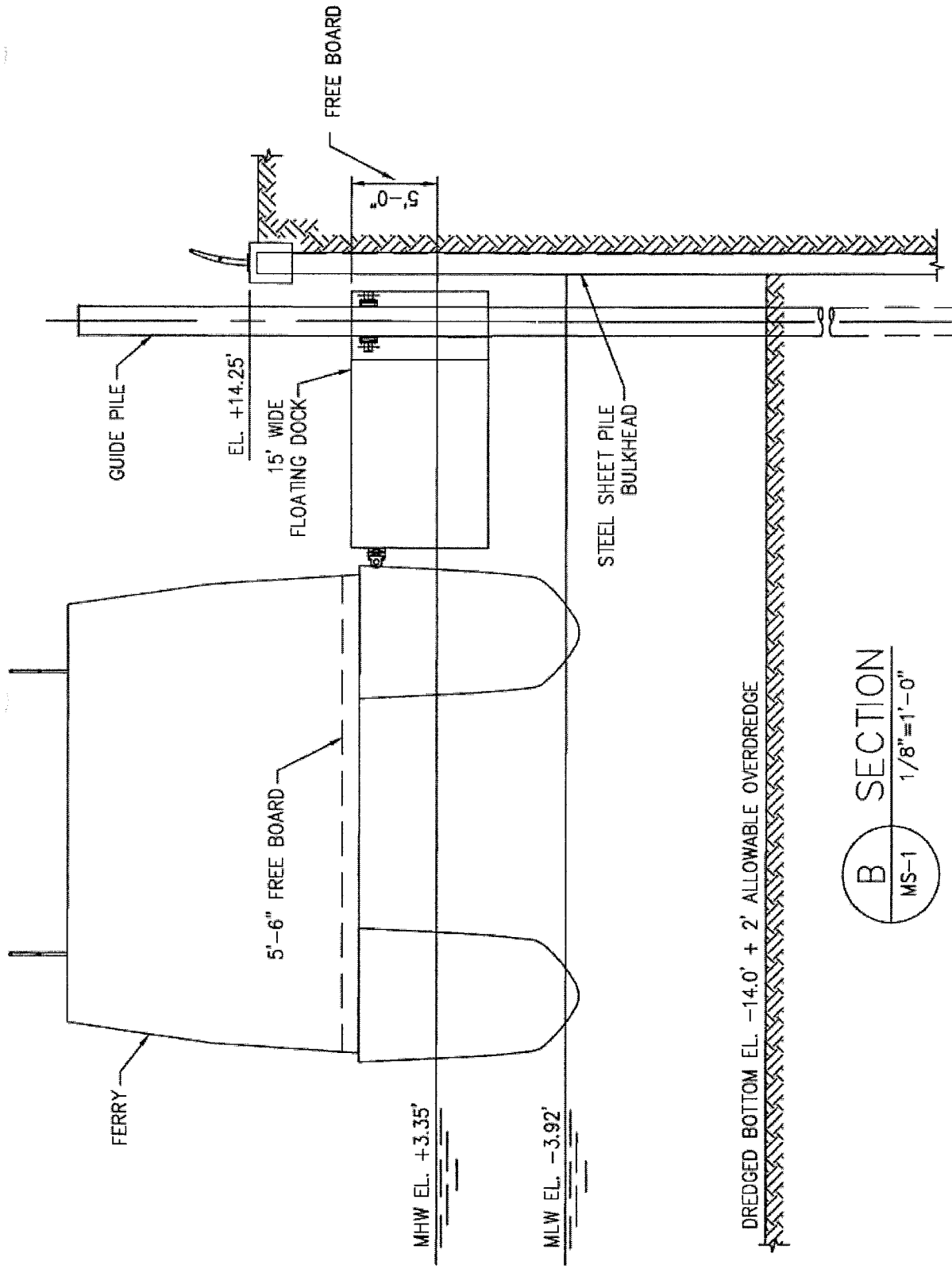


A SECTION
MS-1

WATERFRONT STRUCTURE – GENERAL PLAN AND SECTIONS
(From Drawing MS-1)

SHEET 7 of 11

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SHEET 8 of 11

WATERFRONT STRUCTURE – GENERAL PLAN AND SECTIONS
(From Drawing MS-1)

FILE: NAN-2009-00241-ETA

(From Drawing MD-1)



ERAL
ANNEL

LIMITS OF DEMONSTRATION

LEGEND

EXCAVATION TO EL. -4.51'

EXCAVATION TO EL. +5.00'

DEMOLITION



